

REMARKS

Claims 1-18 are pending. Applicant requests reconsideration in light of the following remarks. Applicant has amended the specification to attend to informalities and to highlight the nature of the damping insert disclosed in the specification, particularly in the paragraph beginning at page 5, line 13, and in the drawings. Applicant requests withdrawal of the outstanding rejections, and allowance of the claims.

In the outstanding office action, the Examiner rejected claims 1-5, 8-14 and 17-18 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,109,569 to Shaw (hereinafter "Shaw"). Further, the Examiner rejected claims 7 and 16 under 35 U.S.C. §103(a) as being unpatentable over Shaw. Also, the Examiner objected to claims 6 and 15 as being dependent on a rejected base claim, but allowable if rewritten in independent form. Applicant contends that all the claims are patentable over Shaw, and requests withdrawal of the rejections under 35 U.S.C. §102(b) and 35 U.S.C. §103(a).

Shaw discloses a caster housing 14 having a elastomeric damper 60 positioned between the housing 14 and the stud 20. The elastomeric damper of Shaw is not substantially flat, and does not have major faces oriented substantially vertically. Therefore, at least for this reason Shaw fails to teach or suggest the invention defined in claims 1 and 9. Accordingly, Applicant requests withdrawal of the rejections under 35 U.S.C. §102(b) and 35 U.S.C. §103(a). Since claims 1 and 9 have been shown to be patentable over the Shaw reference, at least for this reason claims 2-8 and 10-18 are also patentable over Shaw.

In view of the above amendments and remarks, Applicant has shown that the invention, as defined in the claims is neither disclosed nor suggested by Shaw. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejections of record, and allowance of all claims.